REMARKS

This patent application presently includes claims 1-37, all of which stand rejected. The claims are amended to define the applicant's invention more clearly and all rejections are respectfully traversed.

The Examiner notes that the abstract of the disclosure, in the present instance, has not been presented on a separate sheet. Accompanying this Amendment, as a separate sheet (page 18) containing the abstract.

The Examiner has objected to claims 18, 21 and 33 owing to certain informalities. In response, claim 18 has been amended at line 2 to change "control" to "controller", and claim 21 has been amended at line 8 to delete the second recitation of "each user." The objections to these claims should now be withdrawn.

The Examiner objected to claim 33 as a duplicate of claim 18. This is not understood. Comparing claims 18 and 33, it will be seen that the claimed subject matter is different. In fact, claim 33 corresponds to original claim 19/17. This objection should be withdrawn.

Claim 22 is rejected under 35 U.S.C. § 112, second paragraph as being indefinite, owing to the use of the term "Flash Program." This rejection is respectfully traversed.

The Flash program is well-known under that name by those skilled in the art. Furthermore, as explained in the application, most current versions of Internet Explorer incorporate that program. In addition, the undersigned knows of no generic description that would identify that program and believes that any description created for the purpose of this patent application would only obfuscate understanding. For example, if the term "XYZ program" were defined in the application, when reading the claim one would need to go back to the description in order to determine what was meant. Accordingly, it is believed that claim 22 is currently as clear and concise as possible and that this rejection should therefore be withdrawn.

Claims 11-20, 30-33, and 37 were rejected under 35 U.S.C. § 101, because the claimed invention is allegedly directed to non-statutory subject matter. The Examiner's only explanation was that the claims merely disclose a signal generator and fail to include a practical application or a concrete, useful, and tangible result. This rejection is respectfully traversed.

To say the least, this rejection is farfetched. Does the examiner truly believe that the disclosed and claimed applications do not have a practical application or a concrete, useful, and tangible result? The Examiner also seems to believe that defining an apparatus in terms of a

generator of a particular type of signal is not statutory subject matter. With all due respect, it is and always has been. For example, the Examiner is referred to claim 10 of now-expired U.S. Patent No. 4,099,203. Similarly, in the present instance, a signal generator is defined in a specific environment and defined in terms of the signals it produces. The Examiner should appreciate that this is traditional, statutory subject matter. Should the examiner persist in this rejection, it is requested that he cite some supporting authority and not just rely on his own interpretation of the statute.

Claims 11-20, 30-33 and 37 were rejected as anticipated by Noma U.S. Patent No. 6,954,902. This rejection is respectfully traversed. Noma dose not teach or suggest the present invention.

Noma discloses a chat system which allows viewers of an Internet page to intercommunicate. He does this by providing a separate chat server for the users and overlaying a browser layer with all the avatars and other chat material on a content page. All the chat processing is done by the chat server, which generates the overlay and sends it to all the chat participants. In contrast, the present application discloses a chat system in which the server downloads the chat executable, which is then run on each participant's computer. Thereafter, all the server does is receive information from each participant and forward it to the remaining participants. It is a fundamentally different approach, which distributes the processing load and, basically makes the number of participants unlimited, and it clearly require less bandwidth because Noma must send graphic content to each participant.

The claimed subject matter is not disclosed or suggested by Noma, because the claims involve a first signal that creates a user's own, resident, avatar on the user's screen and a second signal that creates a visitor's avatar on the screen. These are then changed in accordance with respective signals relayed by the server from each participant. In Noma a single overlay is sent with all the avatars.

Claims 8-10, 18-20 and 33 were rejected as obvious over Noma in view of Liles et al. U.S. Patent No. 5,880,731, in some instances with the addition of further references. None of the references, nor any combination thereof, renders the present claims obvious.

Liles discloses animation of avatars in a chat system. However, it discloses nothing about using separate signals to generate resident and visitor avatars. The same is true of the further references. So, the combinations of references suggested by the examiner would not

overcome the shortcomings of Noma alone. Thus, these rejections must fail as to the independent claims for the same reasons as the rejection over Noma alone. The remaining claims depend from the independent claims and are allowable based upon their dependence from an allowable claim.

Claims 22-25, 29, and 36-37 were rejected as obvious over Noma in combination with at least one additional reference. In every instance, the additional references disclose nothing about using separate signals to generate resident and visitor avatars. Thus, the combinations of references suggested by the Examiner would not overcome the shortcomings of Noma alone. Therefore, this rejection must fail as to the independent claims for the same reasons as the rejections over Noma alone. The claims which are the subject of these rejections depend from one of the independent claims and are allowable based upon their dependence from an allowable claim.

Applicant's attorney has made every effort to place this patent application in condition for allowance. It is therefore earnestly requested that this application, as a whole, receive favorable reconsideration and that the claims be allowed as presently constituted. Should there remain any unanswered questions, the Examiner is requested to call the Applicant's undersigned attorney at the telephone number indicated below.

Dated: November 6, 2006   Respectfully submitted,

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